

ESTTA Tracking number: **ESTTA317819**

Filing date: **11/19/2009**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91192097
Party	Plaintiff Charles Komar & Sons, Inc.
Correspondence Address	John M. Rannells Baker and Rannells PA 575 Route 28 Suite 102 Raritan, NJ 08869 UNITED STATES jmr@br-tmlaw.com, k.hnasko@br-tmlaw.com, s.baker@br-tmlaw.com
Submission	Motion for Default Judgment
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Date	11/19/2009
Attachments	91192097 default.pdf (2 pages)(59198 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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-----X)	
Charles Komar & Sons, Inc.)	Opp. No. 91192097
)	
Opposer)	Mark: EARTH ANGEL CREATIONS
)	
v.)	Ser. No. 77641400
)	
Earth Angel Creations, Inc.)	
)	
Applicant.)	
-----X		

REQUEST FOR ENTRY OF DEFAULT

On September 29, 2009, counsel for the Opposer served Applicant with the Notice of Opposition. Also on September 29, 2009, the Board issued its Scheduling Order and provided the due date for Applicant's Answer, namely November 8, 2009. We have no record of the Applicant serving us with its Answer and a search of the TTAB website similarly reveals that no Answer has been filed. As a result, Opposer respectfully requests that a default be entered.

Respectfully submitted for Opposer
Charles Komar & Sons, Inc.

By: _____

John M. Rannells
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Dated: November 19, 2009

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Opposer's REQUEST FOR ENTRY OF DEFAULT, in re Charles Komar & Sons, Inc. v. Earth Angel Creations, Inc. (Opp. No. 91192097) was forwarded by first class postage prepaid mail by depositing the same with the U.S. Postal Service on this 19th day of November, 2009 to the Applicant at the following address:

Earth Angel Creations, Inc.
848 N. Rainbow Blvd. #784
Las Vegas, Nevada 89107



John M. Rannells